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EXTRAORDINARY

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

## MINISTRY OF LABOUR AND REHABILITATION (Department of Labour and Employment)

### ORDER

New Delhi, the 4th October 1971

S.O. 3745.—Whereas by Order No. V-13017/1/71-P&D, dated the 19th April, 1971, the Central Government (hereinafter referred to as 'the Government'), in exercise of the powers conferred by sub-section (1) of section 6A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) (hereinafter referred to as 'the Act') appointed Shri T. S. Sankaran, Joint Secretary in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) to inquire into the working of the Madras Dock Labour Board (hereinafter referred to as 'the Board') and to submit a report to Government;

And whereas on consideration of the report submitted by Shri T. S. Sankaran on the 25th May, 1971, the Government was *prima facie* of opinion that the Board has made persistent default in the discharge of its functions and had in some cases exceeded its powers and in others abused its powers;

And whereas under the provisions contained in the proviso to sub-section (1) of section 6B of the Act, the Government directed the Board *vide* Show Cause Notice, No. V-13017/1/71-P&D, dated the 17th July, 1971 to show cause by the 6th August, 1971 why the Board should not be superseded;

And whereas the Board *vide* telex dated the 6th August, 1971 and letter No. 1355/71-A1, dated the 12th August, 1971 communicated to the Government a Resolution passed at its meeting held on the 5th August, 1971 to the effect that the Government be requested to drop the matter;

And whereas minutes of the meeting of the Board held on the 5th August, 1971 stated that a member of the Board had suggested that the Government should be requested to supply to the Board a copy of the report of Shri T. S. Sankaran and the

Government forwarded to the Board *vide* letter No. V-13017/1/71-P&D, dated the 21st August, 1971, a copy of the said report directing the Board to send its final reply to the Show Cause Notice by the 10th September, 1971 at the latest and stipulating that if no reply was received by that date the Government would come to a decision on the material available;

And whereas in his letter, No. 1355/71-A1, dated the 3rd September, 1971, the Deputy Chairman of the Board intimated to the Government that a special meeting of the Board had been called on the 9th September, 1971 and its final reply to the Show Cause Notice would be submitted Government soon thereafter;

And whereas subsequently a telex was received from the Board on the 8th September, 1971 saying that the meeting fixed on the 9th September, 1971 had been postponed to the 15th September, 1971, and that the final reply to the Show Cause Notice would be submitted soon after the meeting;

And whereas by a telex dated the 17th September, 1971 the Board communicated to the Government a Resolution No. 21/-1-71, passed at its meeting held on the 15th September, 1971 to the effect that the Minister of Labour and Rehabilitation should be requested to receive a deputation from the Board;

And whereas in spite of adequate and reasonable opportunity having been provided to the Board to show cause why it should not be superseded, it has failed to furnish any reply to the Show Cause Notice on merits and has for one reason or the other been asking for postponement of the matter, the request for a meeting with the Minister for Labour and Rehabilitation for which Government see no need or justification, being the latest example of such delaying tactics;

And whereas after a careful study and scrutiny of the material on record, namely the report of Shri T. S. Sankaran and the aforesaid letters and telex messages from the Board, the Government has come to the conclusion that each of the lapses and omissions and instances of exceeding and abusing the powers vested in the Board, as mentioned in the said Show Cause Notice, has been established and that the Board has persistently made default in the discharge of its functions and in many cases exceeded or abused its powers;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6B of the Act, the Government hereby supersedes the Board for a period of four months with effect from the date of publication of this Order in the Official Gazette;

And further, in exercise of the powers conferred by sub-section (2) of section 6B of the Act, the Government appoints Shri C. R. Govindarajan, General Manager, Madras Port Trust, to exercise all the powers and perform all the functions which were hitherto exercised or performed by the said Board.

[No. V-13017/1/71-P&D.]

R. ANANDAKRISHNA, Jt. Secy.